IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 2066 OF 2004

Shikshan Prasarak Sanstha, Sangli & Ors....Petitioners
V/s.
Shri Appasaheb Ramrao Patil & Ors. ...Respondents

Shri Umesh Mankapure for the Petitioners
Shri A.M. Kulkarni for Respondent Nos.1 to 3.

CORAM : V.M. KANADE, J.

DATED : MARCH 5, 2007

P.C. :-

1. Heard the learned Counsel for the petitioners and the learned Counsel for the respondents.

2. It is the contention of the petitioners that 38 members were added as members on 31st March, 1992. The respondents on the contrary are disputing this addition of the new members on various grounds. Applications have been filed by the petitioners as well as by the respondents. The Assistant Charity Commissioner while deciding the main application filed by the contesting parties has merely passed an order directing the Inspector of the Office to make inquiry regarding the 32 members who were added in the meeting held on 31st May, 1992 and submit a report to the Assistant Charity

Commissioner.

3. It is obvious that the application filed by the petitioners and by the respondents is yet to be decided. I do not see any reason to interfere with the order passed by the Assistant Charity Commissioner while exercising jurisdiction under Article 227 of the Constitution of India.

4. Writ Petition, therefore, is rejected. It is needless to state that both the parties will have liberty to challenge the order passed by the Charity Commissioner on their respective applications.

. Writ petition is disposed of.

(V.M. Kanade, J.)